



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,859	12/18/2001	John W. Hall	17768	6139

7590 12/31/2002

Joseph A. Tessari, Esquire
Tyco Technology Resources
4550 New Linden Hill Road
Suite 450
Wilmington, DE 19808-2952

EXAMINER

HAMMOND, BRIGGITTE R

ART UNIT PAPER NUMBER

2833

DATE MAILED: 12/31/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/024,859

Applicant(s)

John Hall et al.

Examiner

Brigitte R. Hammond

Art Unit

2833



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Sep 19, 2002
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 2833

DETAILED ACTION II

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,2,4-7, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Wright 5,741,159. Wright discloses an apparatus comprising a keying element means 32, a first ground component 80, a second ground component 90 and a body element 22.

Regarding claim 2, Wright further comprises a standardized connector means 16'.

Regarding claim 4, the first ground element of Wright is removably mounted on the second ground element.

Regarding claim 5, the first ground element of Wright is annular.

Regarding claim 6, the connector of Wright is a printed circuit board jack.

Regarding claim 7, Wright discloses an apparatus comprising a keying element means 32 a first ground component 80, a second ground component 90, a body element 22 jack means 66,88 for circuit board mounting wherein the first and second grounding means provide a grounding connection upon connection of the keying means (paraphrased in col. 5, lines 10-12 and 19-22).

78, 82

Art Unit: 2833

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wright in view of applicant's admitted prior art as disclosed on page 2, lines 1-9 of the instant application.

Wright does not disclose the standardized connector means as being FAKRA compliant connector means. However, applicant discloses on page 2, lines 1-9 that a FAKRA connector is a standardized connector which in turn would make it well known in the art. Therefore, it would have been obvious to one of ordinary skill to modify the connector of Wright by making it a standardized FAKRA connector as disclosed by applicant to be used with various mating connectors.

Conclusion

Response to Arguments

5. Applicant's arguments filed September 19, 2002 have been fully considered but they are not persuasive.

6. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., ribs, recesses, annular etc.) are not recited in the rejected claims. Although the claims are interpreted in light of

Art Unit: 2833

the specification, **limitations from the specification are not read into the claims.** See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). In response to applicant's argument that Wright acts as a "shell" not a grounding element, the examiner replies that ground/shell are equivalent and is a matter of semantics. In response to applicant's argument that Wright does not have a "standardized" connector means. The examiner draws applicant's attention to col. 2, lines 63- col. 3 line 2, where Wright uses the term "conventional", which again the examiner equates to a matter of semantics.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Wright uses the term "conventional" which as defined according to Webster's Dictionary means "Conforming to established practice or accepted standards"¹.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

Art Unit: 2833

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brigitte R. Hammond whose telephone number is (703) 305-0032.

The examiner can normally be reached on Monday - Thursday from 7:30 A.M. to 5:00 P.M.

The examiner can also be reached on alternate Fridays.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Brigitte R. Hammond

November 19, 2002

P. Bradley
P. AUSTIN BRADLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

con·ven·tion·al

con·ven·tion·al (kən-vən'shē-nəl) *adjective*

1. Based on or in accordance with general agreement, use, or practice; customary: *conventional symbols*; *a conventional form of address*.
2. Conforming to established practice or accepted standards; traditional: *a conventional church wedding*.
3. **a.** Devoted to or bound by conventions to the point of artificiality; ceremonious. **b.** Unimaginative; conformist: *longed to escape from their conventional, bourgeois lives*.
4. Represented, as in a work of art, in simplified or abstract form.
5. *Law.* Based on consent or agreement; contractual.
6. Of, relating to, or resembling an assembly.
7. Using means other than nuclear weapons or energy: *conventional warfare*; *conventional power plants*.

— **con·ven'tion·al·ism** *noun*

— **con·ven'tion·al·ist** *noun*

— **con·ven'tion·al·ly** *adverb*

The American Heritage® Dictionary of the English Language, Third Edition copyright © 1992 by Houghton Mifflin Company. Electronic version licensed from INSO Corporation; further reproduction and distribution restricted in accordance with the Copyright Law of the United States. All rights reserved.